

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

In re: OMKARA HOSPITALITY, LLC

§ Case No. 3:17-06123-CMW

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Debtor(s)

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED
AND APPLICATION TO BE DISCHARGED (TDR)**

SUSAN R. LIMOR, TRUSTEE, chapter 7 trustee, submits this Final Account, Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$0.00</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>N/A</u>
Total Distribution to Claimants: <u>\$335,575.14</u>	Claims Discharged Without Payment: <u>N/A</u>
Total Expenses of Administration: <u>\$215,058.63</u>	

3) Total gross receipts of \$ 550,633.77 (see **Exhibit 1**), minus funds paid to the debtor and third parties of \$ 0.00 (see **Exhibit 2**), yielded net receipts of \$550,633.77 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from Exhibit 3)	\$0.00	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from Exhibit 4)	0.00	217,542.13	215,058.63	215,058.63
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from Exhibit 5)	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from Exhibit 6)	0.00	0.00	0.00	0.00
GENERAL UNSECURED CLAIMS (from Exhibit 7)	2,404,992.34	2,276,114.13	2,250,000.00	335,575.14
TOTAL DISBURSEMENTS	\$2,404,992.34	\$2,493,656.26	\$2,465,058.63	\$550,633.77

4) This case was originally filed under Chapter 7 on September 08, 2017.
The case was pending for 39 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 12/15/2020 By: /s/SUSAN R. LIMOR, TRUSTEE
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO
FINAL ACCOUNT**

EXHIBIT 1 –GROSS RECEIPTS

DESCRIPTION	UNIFORM TRAN. CODE ¹	\$ AMOUNT RECEIVED
Checking Account at THBC - Terre Hute Savings Ba	1129-000	7,033.77
Possible Preferential &/or Fraudulent Transfers	1241-000	543,600.00
TOTAL GROSS RECEIPTS		\$550,633.77

¹The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
	None		
TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES			\$0.00

EXHIBIT 3 –SECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
			None			
TOTAL SECURED CLAIMS			\$0.00	\$0.00	\$0.00	\$0.00

EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Trustee Compensation - SUSAN R. LIMOR, TRUSTEE	2100-000	N/A	30,781.69	28,298.19	28,298.19
Trustee Expenses - SUSAN R. LIMOR, TRUSTEE	2200-000	N/A	39.86	39.86	39.86
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00

Other - INTERNATIONAL SURETIES, LTD	2300-000	N/A	3.17	3.17	3.17
Other - Rabobank, N.A.	2600-000	N/A	11.09	11.09	11.09
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00
Other - Rabobank, N.A.	2600-000	N/A	10.05	10.05	10.05
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00
Other - Rabobank, N.A.	2600-000	N/A	11.02	11.02	11.02
Other - Rabobank, N.A.	2600-000	N/A	10.00	10.00	10.00
Other - Rabobank, N.A.	2600-000	N/A	10.65	10.65	10.65
Other - Rabobank, N.A.	2600-000	N/A	10.31	10.31	10.31
Other - Rabobank, N.A.	2600-000	N/A	5.31	5.31	5.31
Other - Rabobank, N.A.	2600-000	N/A	6.25	6.25	6.25
Other - INTERNATIONAL SURETIES, LTD	2300-000	N/A	7.35	7.35	7.35
Other - INTERNATIONAL SURETIES, LTD	2300-000	N/A	9.36	9.36	9.36
Other - Armstrong Law Firm	3210-000	N/A	181,200.00	181,200.00	181,200.00
Clerk of the Court Costs (includes adversary and other filing fees) - Clerk,	2700-000	N/A	350.00	350.00	350.00
Other - Rabobank, N.A.	2600-000	N/A	294.87	294.87	294.87
Other - Rabobank, N.A.	2600-000	N/A	589.24	589.24	589.24
Other - Larry Williams, CPA	3410-000	N/A	1,600.00	1,600.00	1,600.00
Attorney for Trustee Fees (Trustee Firm) - Limor & Johnson, Attorneys at Law	3110-000	N/A	2,483.50	2,483.50	2,483.50
Attorney for Trustee Expenses (Trustee Firm) - Limor & Johnson, Attorneys at Law	3120-000	N/A	68.41	68.41	68.41
TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES		N/A	\$217,542.13	\$215,058.63	\$215,058.63

EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					
TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES		N/A	\$0.00	\$0.00	\$0.00

EXHIBIT 6 –PRIORITY UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
None						
TOTAL PRIORITY UNSECURED CLAIMS			\$0.00	\$0.00	\$0.00	\$0.00

EXHIBIT 7 –GENERAL UNSECURED CLAIMS

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	WAGNER CRAWFORD GAMBILL & JUNGERS	7100-000	2,250,000.00	2,250,000.00	2,250,000.00	335,575.14
2	Choice Hotels International, Inc.	7100-000	151,992.34	26,114.13	0.00	0.00
NOTFILED	Wilkinson Goeller Modesitt	7100-000	3,000.00	N/A	N/A	0.00
NOTFILED	M.E., E.E., and P.E.	7100-000	0.00	N/A	N/A	0.00
TOTAL GENERAL UNSECURED CLAIMS			\$2,404,992.34	\$2,276,114.13	\$2,250,000.00	\$335,575.14

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 3:17-06123-CMW

Trustee: (620530) SUSAN R. LIMOR, TRUSTEE

Case Name: OMKARA HOSPITALITY, LLC

Filed (f) or Converted (c): 09/08/17 (f)

§341(a) Meeting Date: 10/16/17

Period Ending: 12/15/20

Claims Bar Date: 02/12/18

1 Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Checking Account at THBC - Terre Hute Savings Ba 11/14/17 - Received check in the amount of \$7,033.77, which represents the closing balance of the account. Asset fully administered.	9,868.77	7,033.77		7,033.77	FA
2	<p>Possible Preferential &/or Fraudulent Transfers (u) 07/05/18 - Status Update for Annual Reports for Period Ended June 30, 2018: Trustee has performed an extensive review of the Debtor's bank records and compiled a spreadsheet of possible preferential and/or fraudulent transfers. Trustee is to conduct a 2004 examination of the Debtor's representative on 07.13.18 is to question the representative about certain transactions and get additional information needed to pursue possible causes of action. The true value of the asset is still unknown to Trustee at this time; therefore, Trustee has assigned a value of \$1.00 to "Column 3: Estimated Net Value..."</p> <p>On June 28, 2019, the Trustee filed a lawsuit (Case 3:19-ap-90125) against the following 6 creditors/parties to avoid fraudulent and/or preferential transfers and recover the same on behalf of the bankruptcy estate:</p> <ol style="list-style-type: none"> 1. Mahendra Modi: (a) fraudulent transfers in the amount of \$163,050.00; and (b) preferential transfer in the amount of \$5k. 2. Nisha Roy: (a) fraudulent transfers in the amount of \$84,525.00. 3. Maya Kapadia: (a) fraudulent transfers in the amount of \$161k. 4. Shailesh Tailor: (a) fraudulent transfers in the amount of \$35,025.00. 5. Deepak Kapadia: (a) fraudulent transfers in the amount of \$90k. 6. Matrix Global Vision, L.L.C.: (a) preferential transfer in the amount of \$10k. <p>The true value of the asset is still unknown to Trustee at this time; therefore, Trustee has assigned a value of</p>	0.00	543,600.00		543,600.00	FA

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 3:17-06123-CMW

Trustee: (620530) SUSAN R. LIMOR, TRUSTEE

Case Name: OMKARA HOSPITALITY, LLC

Filed (f) or Converted (c): 09/08/17 (f)

§341(a) Meeting Date: 10/16/17

Period Ending: 12/15/20

Claims Bar Date: 02/12/18

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					
\$1.00 to "Column 3: Estimated Net Value..."					
01/17/20 - Lawsuit settled in consideration of \$543,600.00 from the defendants to the bankruptcy estate. Motion to approve settlement filed (DE 24). Order approving settlement entered 02.12.20. Asset fully administered.					
2 Assets Totals (Excluding unknown values)	\$9,868.77	\$550,633.77		\$550,633.77	\$0.00

Major Activities Affecting Case Closing:

11/14/17 - Notice of Assets filed. Claims bar date is 02.12.18. See Docket Entry 6.

04/04/18 - After a review of the filed claims, Trustee determined that Motion to Allow/Disallow Claims not needed in this case.

07/05/18 - Status Update for Annual Reports for Period Ended June 30, 2018:

1. Conduct 2004 examination of Debtor's representative and pursue possible causes of action.
2. Employ accountant to prepare and file estate tax returns.
3. Accountant fee application.
4. Attorney fee application.
5. CLOSE CASE

07/22/19 - Status Update for Annual Reports for Period Ended June 30, 2019:

1. Litigate/settle lawsuit re fraud/preferential transfers.
2. Employ accountant to prepare and file estate tax returns.
3. Fee applications for professionals.
4. CLOSE CASE

05/05/20 - 2017, 2018, & 2019 Federal Returns filed (mailed to IRS).

05/27/20 - 2020 Federal Return (final return) filed (mailed to IRS).

Initial Projected Date Of Final Report (TFR): June 30, 2019

Current Projected Date Of Final Report (TFR): June 23, 2020 (Actual)

Form 2

Cash Receipts And Disbursements Record

Case Number: 3:17-06123-CMW
Case Name: OMKARA HOSPITALITY, LLC

Trustee: SUSAN R. LIMOR, TRUSTEE (620530)

Bank Name: Rabobank, N.A.

Account: *****7666 - Checking Account

Blanket Bond: \$720,000.00 (per case limit)

Separate Bond: N/A

Taxpayer ID #: **-***1441

Period Ending: 12/15/20

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
11/14/17	{1}	Omkara Hospitality, LLC	Balance in Account	1129-000	7,033.77		7,033.77
11/30/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	7,023.77
12/29/17		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	7,013.77
01/26/18	101	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/01/2018 FOR CASE #317-06123, Chapter 7 Blanket Bond for 01/01/18 to 01/01/19; Bond #016026373	2300-000		3.17	7,010.60
01/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		11.09	6,999.51
02/28/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	6,989.51
03/30/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.05	6,979.46
04/30/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	6,969.46
05/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		11.02	6,958.44
06/29/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	6,948.44
07/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.65	6,937.79
08/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.31	6,927.48
09/28/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		5.31	6,922.17
10/31/18		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		6.25	6,915.92
02/12/19	102	INTERNATIONAL SURETIES, LTD	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/01/2019 FOR CASE #317-06123, Chapter 7 Blanket Bond for 01/01/19 to 01/01/20; Bond 016026373	2300-000		7.35	6,908.57
01/16/20	{2}	Matrix Global/Deepak	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint entered 02.12.20 (DE 29).	1241-000	30,000.00		36,908.57
01/16/20	{2}	Matrix Global	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint entered 02.12.20 (DE 29).	1241-000	10,000.00		46,908.57
01/16/20	{2}	Mahendra Modi/Deepak Kapadia	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint entered 02.12.20 (DE 29).	1241-000	30,000.00		76,908.57
01/16/20	{2}	Nisha Roy	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint entered 02.12.20 (DE 29).	1241-000	84,525.00		161,433.57
01/16/20	{2}	Mahendra Modi	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint entered 02.12.20 (DE 29).	1241-000	163,050.00		324,483.57
01/16/20	{2}	Shailesh K Tailor	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint	1241-000	35,025.00		359,508.57

Subtotals : \$359,633.77 \$125.20

Form 2

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Case Number: 3:17-06123-CMW
Case Name: OMKARA HOSPITALITY, LLC

Trustee: SUSAN R. LIMOR, TRUSTEE (620530)

Bank Name: Rabobank, N.A.

Account: *****7666 - Checking Account

Blanket Bond: \$720,000.00 (per case limit)

Separate Bond: N/A

Taxpayer ID #: **-***1441

Period Ending: 12/15/20

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
			entered 02.12.20 (DE 29).				
01/16/20	{2}	Maya Kapadia	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint entered 02.12.20 (DE 29).	1241-000	30,000.00		389,508.57
01/16/20	{2}	Maya Kapadia	Settlement Proceeds per Order Approving Compromise and Settlement of Complaint entered 02.12.20 (DE 29).	1241-000	161,000.00		550,508.57
02/10/20	103	INTERNATIONAL SURETIES, LTD	Chapter 7 Blanket Bond from 01.01.20 to 01.01.21; Bond #016026373.	2300-000		9.36	550,499.21
02/27/20	104	Armstrong Law Firm	Attorney Fees per Order Awarding Compensation to Armstrong Law Firm, Counsel for the Trustee entered 02.12.20 (DE 30).	3210-000		181,200.00	369,299.21
03/06/20	105	Clerk, U.S. Bankruptcy Court	AP Filing Fee re Adversary case 3:19-ap-90125.	2700-000		350.00	368,949.21
03/31/20		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		294.87	368,654.34
04/30/20		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		589.24	368,065.10
07/08/20	106	Larry Williams, CPA	Accountant Fees per Order Awarding Compensation to Accountant for Trustee entered 06.23.20 (DE 41).	3410-000		1,600.00	366,465.10
07/08/20	107	Limor & Johnson, Attorneys at Law	Attorney Fees and Expenses per Order Awarding Compensation to Attorneys for Trustee entered 06.23.20 (DE 42).			2,551.91	363,913.19
			Attorney Fees. 2,483.50	3110-000			363,913.19
			Attorney Expenses. 68.41	3120-000			363,913.19
11/06/20	108	WAGNER CRAWFORD GAMBILL & JUNGERS	Dividend paid 14.91% on \$2,250,000.00; Claim# 1 per Chapter 7 Trustee's Final Report ("TFR") filed 07.20.20 (Doc 45); Summary of TFR filed 07.20.20 (Doc 46); & Notice of Summary of TFR filed 07.21.20 (Doc 48).	7100-000		335,575.14	28,338.05
11/06/20	109	SUSAN R. LIMOR, TRUSTEE	Trustee Compensation and Expenses per Chapter 7 Trustee's Final Report ("TFR") filed 07.20.20 (Doc 45); Summary of TFR filed 07.20.20 (Doc 46); Notice of Summary of TFR filed 07.21.20 (Doc 48); & Order...Awarding Trustee Compensation and Expenses entered 1			28,338.05	0.00
			Trustee Compensation. 28,298.19	2100-000			0.00
			Trustee Expenses. 39.86	2200-000			0.00

Subtotals : \$191,000.00 \$550,508.57

Case 3:17-bk-06123 Doc 83 Filed 12/22/20 Entered 12/22/20 12:46:41 Desc Main

{ } Asset reference(s)

Document Page 9 of 10

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Form 2

Cash Receipts And Disbursements Record

Case Number: 3:17-06123-CMW
Case Name: OMKARA HOSPITALITY, LLC

Trustee: SUSAN R. LIMOR, TRUSTEE (620530)
Bank Name: Rabobank, N.A.
Account: *****7666 - Checking Account
Blanket Bond: \$720,000.00 (per case limit)
Separate Bond: N/A

Taxpayer ID #: **-***1441
Period Ending: 12/15/20

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance
ACCOUNT TOTALS					550,633.77	550,633.77	\$0.00
Less: Bank Transfers					0.00	0.00	
Subtotal					550,633.77	550,633.77	
Less: Payments to Debtors						0.00	
NET Receipts / Disbursements					\$550,633.77	\$550,633.77	
TOTAL - ALL ACCOUNTS					Net Receipts	Net Disbursements	Account Balances
Checking # *****7666					550,633.77	550,633.77	0.00
					\$550,633.77	\$550,633.77	\$0.00